Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Legal Owner(s):

(Type or Print Name)

(Type or Print Mame)

I We do solemnly declare and affirm, under the penalties of perjury, that I we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

CEIVE

RE

 \propto

DAT

ВУ

Number of Signs:

(Type or Print Name) Signature

Address City and State Attorney for Foliables

ROMADKA, GONTRUM, HENNEGAN & FOOS (Type or Printing) Signature John B. Gontrum

-809-Eastern-Boulevard------Essex, Maryland 21??1

City and State Attorney's Telephone No.: 686-8274

ORDERED By The Zoning Commissioner of Baltimore County, this _____ 24th_____ day of ___July_____, 19_84_, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation through-

out Ballatore County, that property be posted, and that the public hearing be had before the Zoning Control Soner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County fon the ______24th_____ day of _September____, 19_84_, at _10:45 o'clock

Name, address and phone number of legal owner, con-

tract purchaser or representative to be contacted

William Will William

Date of return: 2-111-5-4

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

shop as an accessory use to a riding stable in an R.C. 4 sone Being the property of Harry D. Binkley, et ux, as shown on plat plan filed with the Zoning 85-62-X5PH Department.
In the event that these Petiin the event that these Peti-tions are granted, a building permit may be issued within the thirty (30) day appeal pe ried. The Zoning Commission or will, however, entertain any request for a stay of the issue ance of said permit during Date of Posting 9 -7 - 94 Petitioner: Thomas D Burhley Duy ance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above of made at the hearing. Location of property: E/S Clary Mill Road, 760' WWATHE CIL made at the hearing set above made at the hearing.

By Order Of ARNOLD JABLON.

Zoning Commissioner of Baltimore County

Sept 6. of Dier Park Road. Location of Signs: 4/8 by Cloy mill Road approx 950' NWM the CIL of Dur Park Book atentianes to astyret property

LAW OFFICES

NOLAN, PLUMHOFF & WILLIAMS J. EARLE PLUMHOFF NEWTON A. WILLIAMS CHARTERED WILLIAM M. HESSON, JR. 204 WEST PENNSYLVANIA AVENUE THOMAS J. RENNER WILLIAM P. ENGLEHART, JR. TOWSON, MARYLAND 21204 STEPHEN J. NOLAN G. SCOTT BARHIGHT

RALPH E. DEITZ 9.026 LIBERTY ROAD RANDALLSTOWN, MARYLAND 21133 1301) 922 2121

September 18, 1984

(301) 823 7000

HAND DELIVERY

The Honorable Arnold Jablon Zoning Commissioner for Baltimore County County Office Building Towson, Maryland 21204

> Re: Case No. 85-82-XSPH E/S Ivy Mill Road 760 NW of C/L of Deer Park Road 1122. Ivy Mill Road Petition for Special Hearing and Petition for Special Exception Petitioners: Mr. and Mrs. Harry D. Binkley REQUEST TO ENTER APPEARANCE

Dear Commissioner Jablon:

ROBERT L. HANLEY, JR.

ROBERT S. GLUSHAKOW

Please accept this letter as a Notice of Entry of Appearance of Stephen J. Nolan and Nolan, Plumhoff & Williams, Chartered as counsel for the petitioners, Harry D. Binkley and Jean Binkley with regard to the above-entitled petitions which case is scheduled to be heard on Monday, September 24, 1984 at 10:45 a.m.

It is my undertanding that John Gontrum, Esquire will be withdrawing his appearance for Michael Sakowski, the contract purchaser; however, I do intend to be present at the hearing and to proceed on behalf of the legal owners with the special petitions.

A CONTRACTOR OF THE PROPERTY O

Thank you for your kind cooperation.

Stephen J. Nolan

SJN/tms

PETITIONS FOR SPECIAL EXCEPTION AND SPECIAL

HEARING
4th Election District

ZONING: Petitions for Special Exception and Special Hear-

ing LOCATION: East side Ivy Mill

Road, 760 ft. Northwest of the centerline of Deer Park Road (11229 Ivy Mill Road) DATE & TIME: Monday, Sep-tember 24, 1984 at 10:45 A.M.

PUBLIC HEARING: Room 106, County Office Building. 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner The Zoning Commissioner of Baltimore County, by author-ity of the Zoning Act and Reg-ulations of Baltimore County, will hold a public hearing:

Petition for Special Excep-

tion for a riding stable in an R.C. 4 zone; Special Hearing under Section 500.7 of the Bal-

timore County Zoning Regula-tions, to determine whether of

not Zoning Commissioner and/ or Deputy Zoning Commis-sioner should approve a tack

cc: Mr. Nicholas Commodari Ms. Arlene January Mr. & Mrs. Harry D. Binkley John Gontrum, Esquire William Bafities, P.E.

85-82-X50H

CERTIFICATE OF PUBLICATION

TOWSON, MD., _____Sept. 6, ___, 19.84. THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on Sept. 6, , 19 84

THE JEFFERSONIAN,

DVenetonh Publisher

Cost of Advertising

John B. Gontrum, Esquire 809 Eastern Boulevard Baltimore, Maryland 21221

> NOTICE OF HEARING Re: Patitions for Special Exception & Special Hearing E/S Ivy Mill Rd., 760' MW of the c/l of Deer Park Road (11229 Ivy Mill Road) Harry D. Binkley, et ux - Petitioners Case No. 85-82-XSPH

TIME: 10:45 A.M. DATE: Honday, September 24, 1984 PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

cc: Michael P. Sakowski P. O. Box 486 Pasadena, Maryland 21122

> Zoning Commissioner of Baltimore County

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

200.00

G 685*****20060:0 813#A

VALIDATION OR SIGNATURE OF CASHIER

WICKOFILM I

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING OFFICE OF PLANNING & ZONIN TOWSON, MARYLAND 21204

ARNOLD JABLON ZONING COMMISSIONER

September 19, 1984

Stephen J. Nolan, Esquire 204 West Pennsylvania Avenue Towson, Maryland 21204

> RE: Petitions for Special Hearing and Special Exception E/S Ivy Mill Rd., 760' NW of the c/l of Deer Park Road (11229 Ivy Hill Rd) Harry D. Binkley, et ux - Petitioners Case No. 85-82-XSPH (Item #16)

> > MICROFILMES

Dear Mr. Nolan:

This is to advise you that \$56.27 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT

No. 134348 JOLD JABLON

ing Commissioner ACCOUNT R-01-615-000

AMOUNT \$56.27 Nolan, Plumhoff & Williams advertising and posting Case #85-82-XSPH (Harry D. Binkley, et ux)

C 021 *** ** 5627 ** &244F

VALIDATION OR SIGNATURE OF CASHIER

E/S Ivy Mill Rd., 760' NW of : Centerline of Deer Park Rd. (11229 Ivy Mill Rd.), 4th District

HARRY D. BINKLLY, et ux, Case No. 85-82-XSPH Petitioners

RE: PETITION FOR SPECIAL EXCEPTION: BEFORE THE ZONING COMMISSIONER

:::::: ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

> Phyllis Cole Friedman People's Counsel for Baltimore County

OF BALTIMORE COUNTY

Peter Max Zimmerman Deputy People's Counsel Rm. 223, Court House Towson, MD 21204 494-2188

I HEREBY CERTIFY that on this 4th day of September, 1984, a copy of the foregoing Entry of Appearance was mailed to John B. Gontrum, Esquire, Romadka, Gontrum, Hennegan & Foos, 809 Eastern Boulevard, Baltimore, MD 21221, Attorney for Petitioners.

Peter Max Zimmerman

MICROFILMED

ZONING:

DATE & TIME:

PETITIONS FOR SPECIAL EXCEPTION AND SPECIAL HEARING

4th Election District

Petitions for Special Exception and Special Hearing LOCATION: East side Ivy Mill Road, 760 ft. Northwest of the centerline of Deer Park Road (11229 Ivy Mill Road)

Monday, September 24, 1984 at 10:45 A.M.

PUBLIC HEARING:

Room 106, County Office Building, 111 W. Chesapeake Avenue,

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Exception for a riding stable in an R.C. 4 zone; Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a tack shop as an accessory use to a riding stable in an R.C. 4 zone

Being the property of Harry D. Binkley, et ux, as shown on plat plan filed with

In the event that these Petitions are granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the

BY ORDER OF ARNOLD JABLON ZONING COMMISSIONER OF EALTIMORE COUNTY

MICROFILMED

Description of property owned by Harry D. Binkley and Jean D. Binkley and known as 11229 Ivy Mill Road, Deer Park, Maryland 21136, located in 4th Election District of Baltimore County, Mar,land.

Beginning at a point on the east side of Tvy Mill Road, said point being 760 feet, more or less, in a northwesternly direction from the center of the intersection of Deer Park Road and Ivy Mill Road; thence running the following courses:

- 1. South 84° 51! East 719.32 feet to a point: thence
- 2. North 19° 24' West 577.56 feet to a point; thence
- 3. North 62° 47' East 447.19 feet to a point; thence
- 4. North 75° -34° East 172.64 feet to a point; thence
- 5. South 42° 38' East 459.23 feet to a point; thence
- 6. North 34° -48 East 571 feet to a point; thence
- 7. South 50° -49' East 203.34 feet to a point; thence
- 8. North 40° -41' East 160 feet to a point; thence
- 9. North 48° -39° West 809.57 feet to a point; thence
- 10. North 53° -32' West 251.30 feet to a point; thence
- 11. North 71°-06' West 069.94 feet to a point; thence
- 12. South 17° 03° West 53.67 feet to a point; thence.
- 13. North 80° 03' West 700.70 feet to a point; thence
- 14. South 9° 42! East 406.10 feet to a point; thence
- 15. South 17°-12' East 953. 70 feet to a point; thence
- 16. North 86° 11' West 304.51 feet to a point; thence. Running with and binding on the Easterly side of said Ivy Mill Road
- the following courses:
- 17. South 10° 24' East 401.63 feet to a point; thence 18. South 13° -15' East 164 feet to a point of beginning.
- Containing 2,178,111 square feet or 50.00 acres of land, more or less.



DA

100' \times 200' barn to the existing 100' \times 200' barn. The Petitioners also need to expand their parking area to comply with the additional requirements; they have sufficient earking for the existing buildings. They also would like to operate a tack shop, offering the sale of equipment, supplies, and clothing to their

The evidence presented indicates that the present use and proposed expansion would in no way adversely impact on the community. Mr. Bafitis stated that, in his opinion, based on his expertise, the conditions precedent delineated in Section 502.1, BCZR, have been and would be satisifed. Even with the proposed expansion, traffic would not be severely effected nor cause congestion that would impact the area because customers use these facilities and services by appointment and come at varied times during the day. Although three shows are presented per year, they are inside the large barn and are limited to students or boarders of the riding stable.

The Petitioners seek relief from Section 1A03.3.B.9 for a riding stable, pursuant to Section 502.1, and approval under Section 1A03.3.A.6 for a tack shop as an accessory use.

It is clear that the BCZR permit the use requested in the R.C.4 Zone by special exception. It is equally clear that the proposed use would not be detrirental to the primary uses in the vicinity of the proposed riding stable.

FOR

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Ther fore, it must be determined whether the conditions as delineated by Section ਹਿੰਦੇ. ਸ਼੍ਰਿਵ satisifed by the Petitioners.

After reviewing all of the testimony and evidence presented, it appears that the special exception as applied for should be granted. with certain restrittions as more fully described below.

The Petitioners had the burden of adducing testimony and evidence which show that the proposed use met the prescribed standards and requirements

- 2 -

set forth in Section 502.1. In fact, the Petitioners have shown that the proadverse impact above and beyond that inherently associated with such a special exception use irrespective of its location within the zone. Schultz v. Pritts,

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way inconsistent with the spirit and intent of the BCZR.

Additionally, it is obvious that a tack shop would be accessory to the uses

held, and it appearing that by reason of the requirements of Section 502.1 having been met and the health, safety, and general welfare of the community not being adversely affected, the special exception and special hearing should be

therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, day of September, 1984, that the Petition for Special Exception r a riding stable in a R.C.4 Zone be and is hereby GRANTED and, additionally. tak shop as an accessory use to the riding stable is approved and. as such. the Entition for Special Hearing is hereby GRANTED, from and after the date of thi: Order, subject, however, to the following restrictions:

> The Petitioners shall have five years from the date of this Order to satisfy the requirements of Section

> > - 3 -

posed use would be conducted without real detriment to the neighborhood and would not actually adversely affect the public interest. The facts and circumstances of the use proposed by the Petitioners do not show that the proposed use at the particular location described by Petitioners' Exhibit 1 would have any

Being all the parcel or land to be conveyed to Harry Binkley and

wife on a subdivision plat of the property of Mr. Joshua M. Shipley

dated May 22, 1964 and as described in the deed recorded among the

Land Records of Baltimore County in Liber 4302, Folio 225, dated May

Being part of the property which by Deed dated February 25, 1950

and recorded among the Land Records of Baltimore County in Liber

T.B.S. No. 1823, Folio 31 was granted and conveyed by C. Keating

Bowie, Jr., unmarried, to Harry M. Shipley and Loney Y. Shipley,

prepared by Fred H. Dollenberg, County Surveyor for Baltimore County,

William N. Bafitis, P.E. No. 11641

The second

432 A.2d 1319 (1981).

now permitted, i.e., horse breeding, training, stabling of horses.

Pursuant to the advertisement, posting of property, and public hearing

502.3, BCZR, as to the proposed addition. If they do

PETITION FOR SPECIAL HEARING 85-82-XSFA TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve ther or not he Zoning Commissioner and/or Deputy Zoning Commissioner should approve A tack shop as an accessory use to a riding stable in an R.C. 4

Property is to be posted and advertised as prescribed by Zoning Regulations. l, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Legal Owner(s): (Type of Print Name) (Type or Print Name) - Comment of the second (Type or Print Name) Attorney for Petitioner: ROMADKA, GONTRUM, HENNEGAN & FOOS 1 (Type or Print Name) -----Signature John B. Gontrum City and State 809 <u>Fastern Boulevard</u> Name, address and phone number of legal owner, contract purchaser or representative to be contacted Essex, Maryland 21221 City and State Attorney's Telephone No.: 686-8274

ORDERED By The Zoning Commissioner of Baltimore County, this ______ 24th____ day of ____July____, 19_84_, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____24th_____ day of __September____, 19_84_, at _10:45 o'clock

Zoning Commissioner of Baltimore County.

Z.C.O.—No. 1



IM RE: PETITIONS SPECIAL EXCEPTION * BEFORE THE AND SPECIAL HEARING E/S of Ivy Mill Road, 760' NW * ZONING COMMISSIONER of Deer Park Road (11229 Ivy Mill Road) - 4th Election OF BALTIMORE COUNTY District Case No. 85-82-XSPH Harry D. Binkley, et ux, Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

* * * * * * * * * *

The Petitioners herein request a special exception for a riding stable in a R.C.4 Zone and a special hearing for an interpretation of the Baltimore County Zoning Regulations (BCZR) to approve a tack shop as an accesory use to a riding stable, as more fully described on Fetitioners' Exhibit 1.

The Petitioners appeared and testified and were represented by Counsel. William Bafitis, a registered professional engineer, testified on behalf of the Petitioners. There were no Protestants.

Testimony indicated that the property, consisting of approximately 50 acres, zoned R.C.4, was purchased by the Petitioners in 1964 and has been utilized since that time as a farm and riding stable. The primary uses of the farm, and the sole business of the Petitioners, have been to breed, train, and stable horses; and as a riding stable where horses can be rented or boarded. The Petition are licensed both in Maryland and in Pennsylvania as trainers and are of various equestrian organizations. The property includes the resin about six or seven acres, the main barn on one-half of an acre, stables and Hasture lands, which include rings and two smaller barns housing about 15 horses, on 20 acres, woodland on about eight to ten acres, and the remainder in crops such as hay.

The Petitioners wish to settle any questions about the legality of the exng uses and to request permission to expand the uses. They propose to add a MICHOFILM

> not commence to build during this period, provided such construction is pursued to completion with reasonable diligence, the special exception for the proposed addition only shall terminate; however, the special exception for the existing buildings and uses shall remain.

- 2. No outdoor horse shows shall be permitted.
- 3. All State and County regulations governing the raising, housing, and stabling of horses shall be satisifed.
- 4. The tack shop shall be open only to those individuals who are customers of the Petitioners or who are associated with those individuals.
- 5. Before any permit for the proposed addition can be approved, a soil conservation plan and a site plan complying with the Baltimore County Landscape Manual shall be submitted for approval to the Current Planning and Development Division, Office of Planning and Zoning.

AJ/srl

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FOR

P.E.

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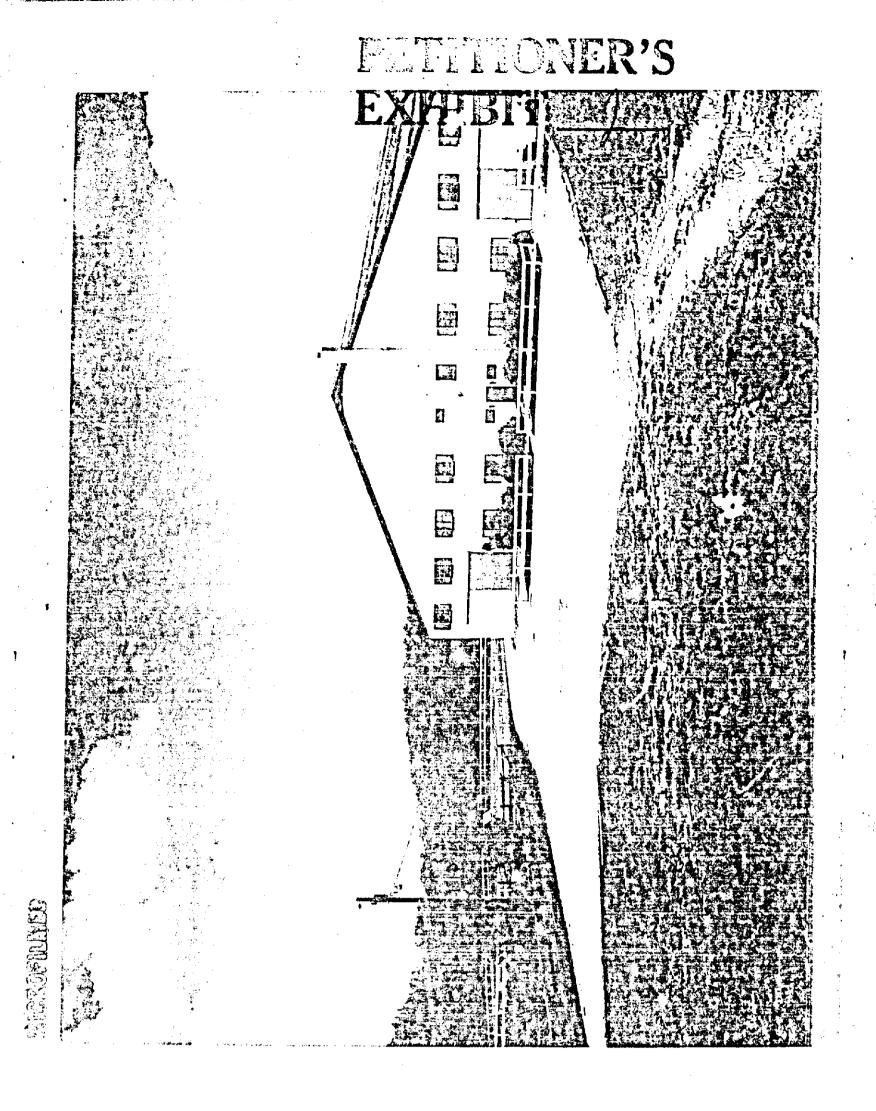
cc: Stephen J. Nolan, Esquire People's Counsel

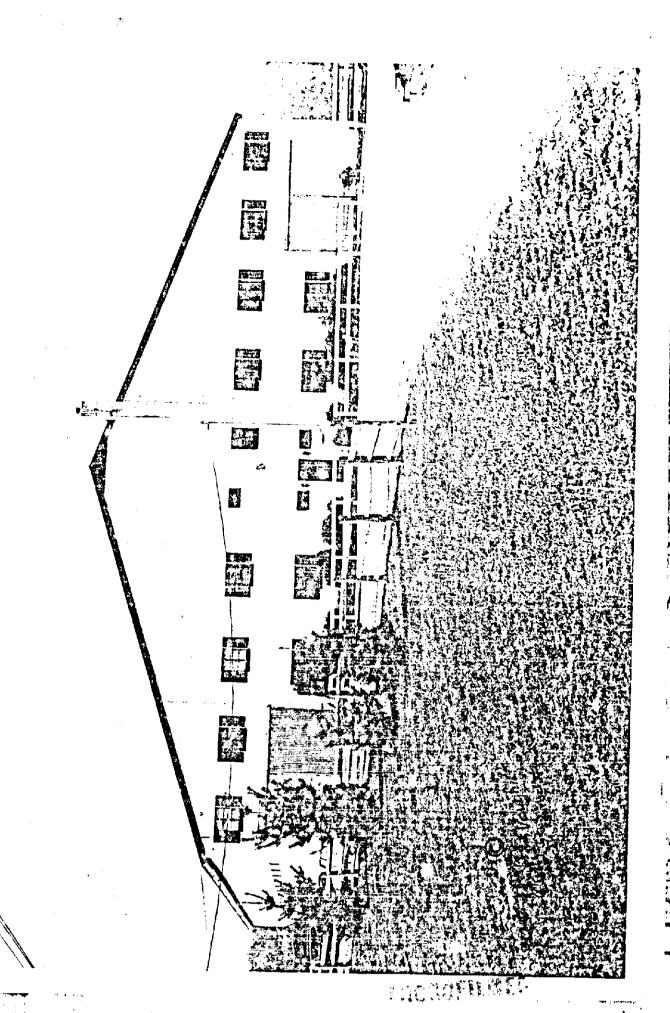
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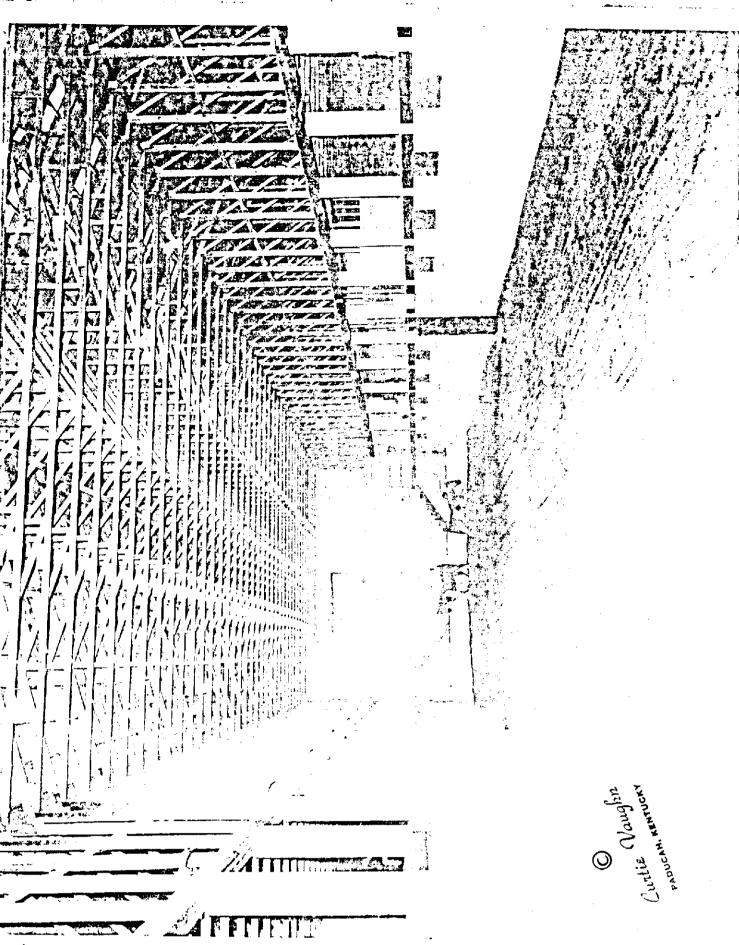
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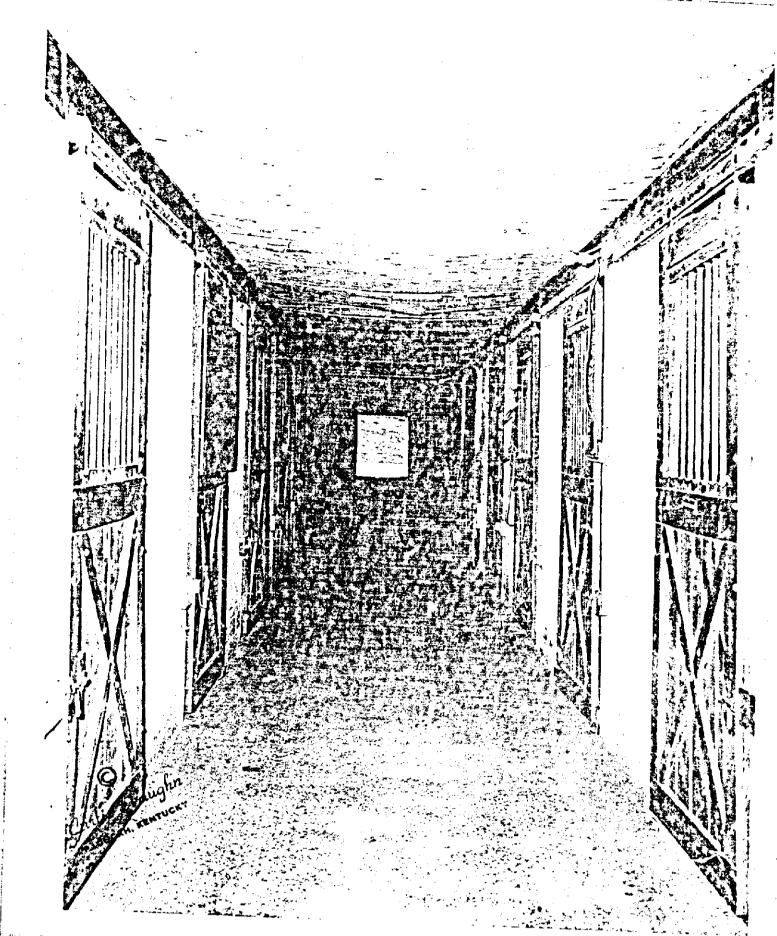
- 4 -

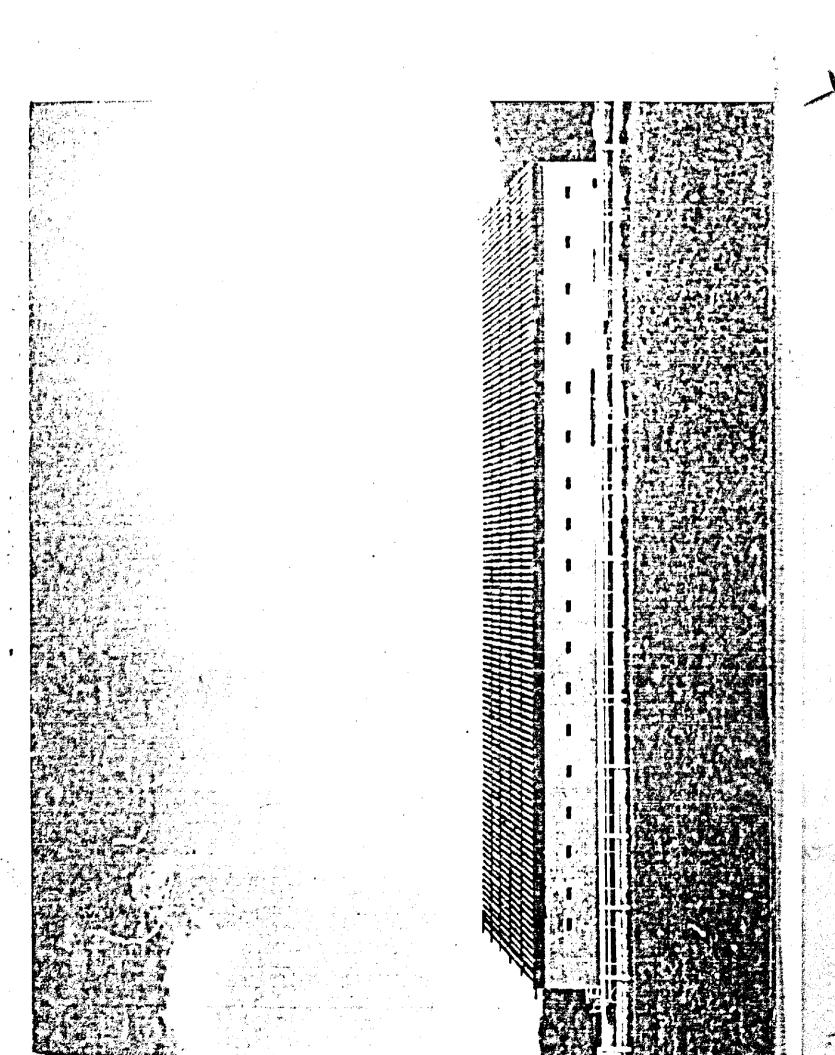
JUN 24 965











BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

HICROFILMED

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon TO Zoning Commissioner

Date September 5, 1984

FROM Office of Planning and Zoning

Norman E. Gerber, Director

Harry D. Binkley, et ux SUBJECT No. 85-82-XSpH

> This office offers no comment as to the question for special hearing; however, it is suggested that the special exception request in R.C. 4 require a soil conservation plan.

> > Office of Planning and Zoning POSTASEES.

85-82-XXPM

NEG/JGH/sf

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your petition has been received and accepted for filing this 24th day of ______, 1984.

Petitioner Berry D. Binkley, et us Received by: Micholas B. Commodari
Attorney John B. Gentron MICROFILMED Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

September 18, 1934

John B. Gontrum, Esquire Romadka, Gontrum, Hennegan & Foos 809 Eastern Boulevard COUNTY OFFICE BLDG. 111 W. Chesapcake Ave. Towson, Maryland 21204

000 Nicholas B. Commodari

Chairman MEMBERS

Bureau of Engineering Department of Traffic Engineering State Roads Commissi Bureau of Fire Prevention Health Department Project Planning Building Department

> Board of Education Zoning Administration

Industrial

Essex, Maryland 21221 RE: Case No. 85-82-XSPH (Item No. 16)
Petitioner - Harry D. Binkley, et ux
Special Exception and Special Hearing
Petition

Dear Mr. Gontrum:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

In view of your proposal to "legalize" the existing riding stable in accordance with the current zoning regulations, this special exception is required. The special hearing is also included in order to determine whether a tack shop can also be located on this property as an accessory use to the stable.

Particular attention should be afforded to the comments of the Bureau of Engineering and the Department of Permits and Licenses.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours, fishes B. Commoscov//2 NICHOLAS B. COMMODARI

Zoning Plans Advisory Committee

NBC:mcb Enclosures cc: Bafitis & Assoc. 3482 Dunhaven Road

Baltimore, Maryland 21222

HICROFILMED

BUREAU OF ENGINEERING - BALTIMORE COUNTY, MD.

and the first of the end of the section of the sect

JUN 24 865

HARRY J. PISTEL P. E. DIRECTOR

August 6, 1984

Mr. Arnold Jablon Zoning Commissioner County Office Building Towson, Maryland 21204

> Re: Item #16 (1984-1985) Property Owner: Harry E. Binkley, et ux E/S Ivy Mill Rd. 760' N/W from centerline Deer Park Road Acres: 50 District: 4th

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

GENERAL COMMENTS:

No public facilities are involved; however, there are several drainage courses which traverse this property. Because of the steep topography, all proposed construction appears to be well above the flood plain. A minimum distance of 20 feet is required between the limit of the flood plain and any construction.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

This site is subject to sediment control and storm water management regulations as applicable.

> GILBERT S. BENSON, P.E., Asst. Chief Bureau of Public Services

GSB:EAM:REC:ss

SS 20 1283 (2) R

Zoning Item # 16 Zoning Advisory Committee Meeting of July 24, py

- () Prior to razing of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 494-3768.
- () Soil percolation tests (have been/must be) conducted. The results are valid until
- Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled. () In accordance with Section 13-117 of the Baltimore County Code, the water
- well yield test shall be valid until is not acceptable and must be retested. This must be accomplished
- prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples. () If submission of plans to the County Review Group is required, a Hydro-
- geological Study and an Environmental Effects Report must be submitted. (V) Others This facility is served by orivers wells and - Septic systems. According for the preside summer site and usage evaluations will

Owner should contact this effice AT 494-2762 For information recording this MATTER.

Ian J. Forrest, Director BUREAU OF ENVIRONMENTAL SERVICES

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING TOWSON MARYLAND 21204 NORMAN E GERBER

> Mr. Arnold Jablon Zoning Commissioner County Office Building Towson, Maryland 21204

> > Re: Zoning Advisory Meeting of Property Owner: it I I I I I I I Location:

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are

)There are no site planning factors requiring comment.)A County Review Group Meeting is required.)A County Review Group meeting was held and the minutes will be forward by the Bureau of Public Services.)This site is part of a 1 her tract; therfore it is defined as a subdivision. The plan n show the entire tract.)A record plat will be required and must be recorded prior to issuance of a building permit.)The access is not satisfactory.)The circulation on this site is not satisfactory. The parking arrangement is not satisfactory.)Parking calculations must be shown on the plan.)This property contains soils which are defined as wetlands, and development on these soils is prohibited.

)Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.)Development of this site may constitute a potential conflict with the Baltimore County Master Plan.)The amended Development Plan was approved by the Planning Board

x)Landscaping should be provided on this site and shown on the plan. The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service

)The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.

Chief, Current Planning and Development

cc: James Hoswell

(>)Additional comments:

PALTIMORE COUNTY FRE DEPARTMENT TOWSON MARYLAND 21204-2586 494-4500

PAUL H REINCKE

July 20, 1984

Mr. William Hammond Toning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Attention: Nick Commodari, Chairman Zoning Plans Advisory Committee

RE: Property Owner: Harry D. Binkley, et ux

Location: E/S Ivy Mill Road 760' N/W from c/l Deer Park Road

Zoning Agenda: Meeting of 7/24/84

Gentlemen:

/mb

Item No.: 16

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at

EXCEEDS the maximum allowed by the Fire Department.

- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER 1 1 1 1 1 1 1 1 1 1 Approved: Planning Group Special Inspection Division

Fire Prevention Bureau

BALTIMORE COUNTY DEPARTMENT OF TRAFFIC ENGINEERING TOWSON, MARYLAND 21204

STEPHEN E COLLINS DIRECTOR

July 23, 1984

Mr. Arnold Jablon Zoning Commission r County Office Building Towson, Maryland 21204

> Item No. 10,11,12,13,15 & 16 ZAC-Meeting of July 24, 1984 Property Owner: Location: Existing Zoning: Proposed Zoning:

Acres: District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for item numbers 10, 11, 12, 13, 15, and 16,

Traffic Engineering Assoc. II

MSF/cam

MICHOTAL ST.

July 30, 1984

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES JOWSON MARYLAND 21204

Mr. Arnold Jablon, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 16 Zoning Advisory Committee Meeting are as follows:

Property Owner: Location: Existing Zoning: Proposed Zoning:

Binkley, et ux Mill Road 760' N/W from c/l Deer Park Road Special Exception for riding stable in an R.C. 4 zone. Special Hearing for a tack shop as an accessory use to a riding stable.

District:

CEB:es

The items checked below are applicable:

- X A. All structures shall conform to the Baltimore County Building Code 1981/Council Bill 4-82 State of Maryland Code for the Handicapped and Aged; and other appli-
- X B. A building/ permit shall be required before beginning construction. C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required. Non-reproduced seals and signatures are required on Plans and Technical Data.
- X D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.
- E. An exterior wall erected within 6'0 for Commercial uses or 3'0 for One & Two Family use group of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0 of lot lines. A firewall is required if construction is on the lot line, see Table 401, line 2, Section 1407 and Table 1402, also Section 503.2.
- F. Requested variance appears to conflict with the Baltimore County Building Code,
- G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.
- H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 401.
- X I. Comments The proposed commercial use is classified as Use "M" Mercantile and shall be separated from stable areas by a fire rated wall. See Section 312.0 mixed uses for additional information. Stables are classified S-1 moderate hazard use.

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plans Review) at 111 W. Chesapeake Ave..

Charles E. Burnham, Chief

BALTIMORE COUNTY DEPARTMENT OF HEALTH

Zoning Commissioner	
Office of Planning and Zoning	
County Office Building	
Towson, Maryland 21204	

Zoning Item # 16, Zoning Advisory Committee Meeting of July 24,84

COMMENTS ARE AS FOLLOWS: () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review

Section, Environmental Support Services, for firel review and approval. () Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain require-

ments for such installation/s before work begins. A permit to construct from the Division of Air Pollution Control is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts

into the atmosphere. () A permit to construct from the Division of Air Pollution Control is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.

() Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.

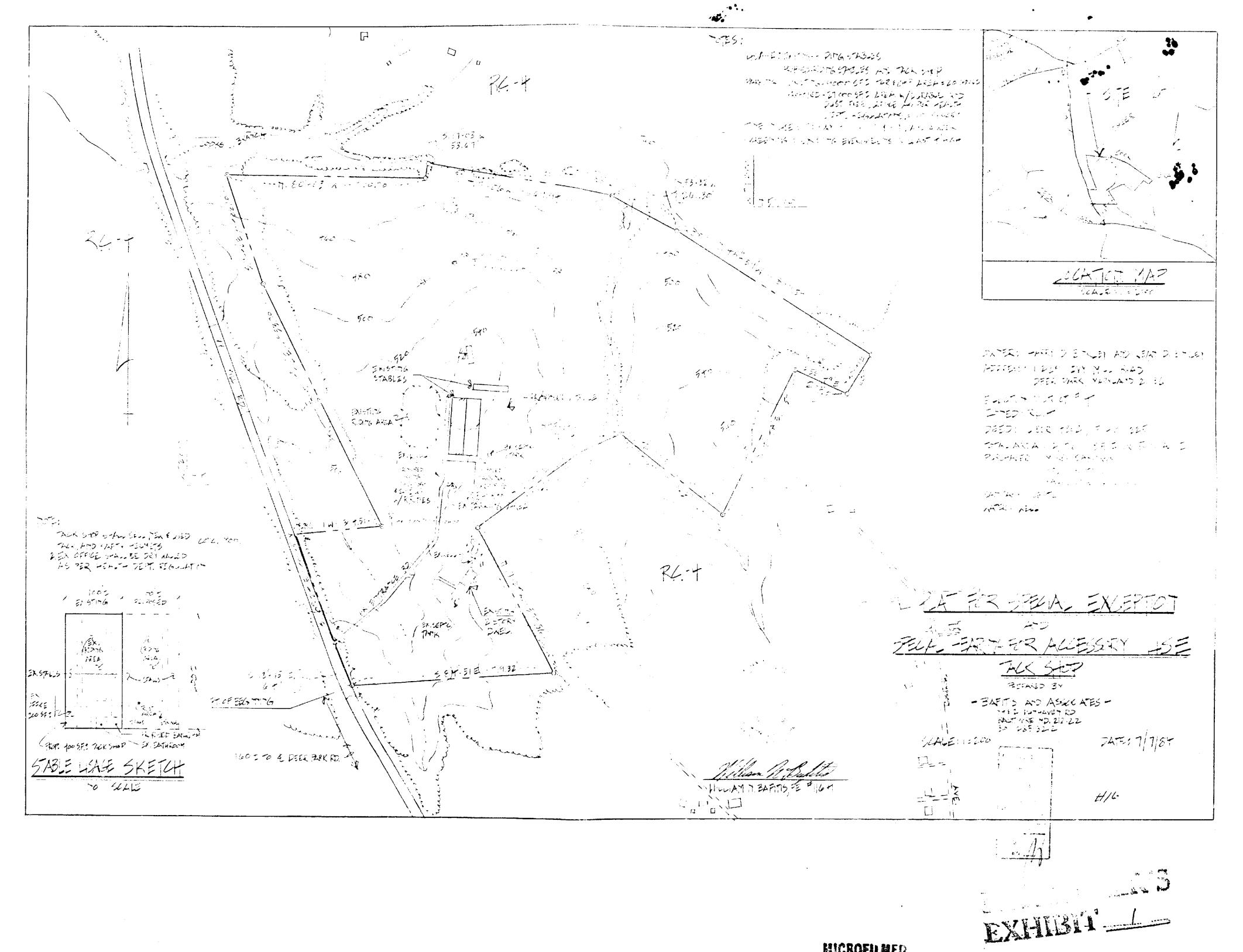
() Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.

() Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.

() If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

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